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**DELTA AD HOC RECREATION COMMITTEE**

c/o Department of Boating and Waterways  
2000 Evergreen Street  
Sacramento, CA 95815

September 21, 1999

Lester Snow, Executive Director  
CALFED Bay-Delta Program  
1416 Ninth Street, Suite 1155  
Sacramento, CA 95814

Subject: Comments on CALFED's Revised Draft Programmatic Environmental Impact  
Report/Environmental Impact Statement (RDEIR)

Dear Mr. Snow:

This letter and the attached comments were prepared collectively by the Delta Ad Hoc Recreation Committee, and do not represent adopted or official positions of the agencies and groups that participated in its preparation. The group has been meeting for several months to discuss issues associated with recreational uses and facilities in the Delta area, the possible impacts which could result from implementation of the CALFED program, and to collaboratively develop ideas about on new recreation opportunities which could also result from implementation of the CALFED program. Participants in the Ad Hoc Recreation Committee have included: Department of Boating and Waterways, Department of Parks and Recreation, Delta Protection Commission, Wildlife Conservation Board; CALFED, California Delta Chambers, Northern California Marine Association; Recreational Boaters of California; Black Bass Action Committee; Californians United for Boating; Marina Recreation Association; California Marine Parks and Harbors Association; Association of Harbormasters and Port Captains; Bass Anglers Sportsmen's Society; and individuals interested in Delta recreation.

As a group, the Committee seeks recognition by CALFED of the value and importance of recreation as an on-going activity in the Delta. The group feels strongly that recreational users of the Delta are stakeholders and should be recognized as such by CALFED. The Committee seeks a partnership with CALFED to mitigate impacts, and to design and implement new recreation facilities and opportunities through the following recommendations:

The RDEIR should more fully address the existing California policies and laws which support recreation in the Delta including: the California Constitution, Article 10, Section 4, which provides the right of access to navigable waters; the Public Trust Doctrine, descended from English common law and recognized by the U.S. Supreme Court and the California Courts, which states that there is a public interest and right to use navigable waterways for boating, as

well as for commercial and ecological uses; the Davis-Dolwig Act (Water Code Section 11900 et seq) which provides for the planing and construction of recreation features as part of water storage, conservation, and regulation facilities and provides for a system of public recreation facilities at state water projects; the California Government Code (Section 39933) which provides a right of access to waterways which are located in or near urban areas; and the Public Resources Code (Section 29712) which describes the statewide importance of the Delta for recreation.

Recreation should not be dismissed as a minor, unimportant use in the Delta; recreation should be acknowledged and recognized as an important, vital use that supports and reflects the ecological health of the Delta ecosystem. Essential to continuing recreation in the Delta are maintenance of navigation upon the Delta waterways; maintenance of water quality to allow water contact recreation; maintenance of habitat for fish and wildlife; maintenance of access to the Delta and its waterways; and provision of adequate locations for shoreline activities which take advantage of the unique aspects of the Delta (wildlife observation, wildlife viewing, photography, walking, biking, etc.).

The key recommendation of the Ad Hoc Recreation Committee is the pressing need for immediate preparation of a master plan, or vision, for recreation in the Delta. This plan should be prepared in partnership with recreation providers and recreational users of the Delta. Implementation of this plan, both for mitigation of adverse impacts of CALFED projects and for enhancement of recreation in the Delta, should be overseen by a Delta Recreation Oversight Committee. This Committee should be made up of Delta recreation "stakeholders" and should serve as an oversight body, much as a panel of scientists will oversee the Ecosystem Restoration Program.

#### **Summary of Detailed Comments:**

The RDEIR should be edited to eliminate inconsistencies within the Recreation Chapter and be more consistent with other Program documents (for example: P. 7.7-23, the water use efficiency program would limit flooding of agricultural lands to save water; the ERPP proposes to flood agricultural lands for seasonal waterfowl habitat)(see Attachment 1).

The Delta Ad Hoc Recreation Committee has also prepared very general comments on the proposed Stage 1A bundles of actions for the Delta and will be preparing and submitting more detailed comments as the bundles are refined.

#### **Proposed Mitigation:**

The Recreation Chapter includes proposed mitigation to offset the delineated impacts. The biggest problem is the proposal of CALFED to link implementation of mitigation to construction of separate, individual projects in the future (see list of Stage 1A Bundles of actions, below). To address the **programmatic** impacts to recreation, the Ad Hoc Committee suggests the inclusion of programmatic mitigation measures to be funded in Stage 1, and in following Stages:

Incorporate findings of current Department of Boating and Waterways studies regarding levee erosion, vessel traffic, and boating needs assessment to determine prime aquatic recreation areas to be protected and enhanced.

Fund a study by Department of Parks and Recreation, Department of Boating and Waterways, and an advisory committee made up of Delta recreation "stakeholders" (marina owners, boaters, fishermen, other recreational users, local governments, etc) to determine what land and water-based recreational facilities are deficient in the Delta, and prioritize their implementation in a recreation master plan. This plan should build upon research currently being carried out by Department of Boating and Waterways addressing boating needs in the Delta (completion date: May 2000). Until the recreation master plan is completed, use the 1997 Recreation User Survey prepared by the Department of Parks and Recreation for the Delta Protection Commission. Add statistical information on sport fishing tournaments held year-round in the Delta, and the numbers of participants in these tournaments, available from Department of Fish and Game's Inland Fisheries Division (contact: Dennis P. Lee). The social and economic impacts of these tournaments on surrounding communities is summarized in Social and Economic Assessment of the 1993-94 Bassmasters Tournament Trail, by Hobson Bryan, Ph.D. These sources of information should be consulted and utilized in formulating recommendations for a recreation master plan.

Designate funds in the CALFED program for preparation and implementation of the recreation master plan. This plan should be used to develop mitigation for facilities that may be adversely impacted by CALFED projects; to guide individual project proponents in the inclusion of appropriate recreational facilities in CALFED projects and CALFED-funded projects; and to set goals for a recreation enhancement program in the Delta. Recreation facilities should include land-based and water-based facilities and activities. Funds for recreation projects should provide for acquisition of property in fee title, or easements; planning, design and engineering; construction; operations and maintenance; and policing. Mitigation proposed as part of a CALFED project should not include duplication of existing, underutilized recreation facilities.

CALFED should authorize a Delta Recreation Oversight Committee, made up of Delta recreation "stakeholders" (local and State governments, marina owners and operators, boaters, anglers, other recreational users). This Oversight Committee should be involved in the planning process from the earliest stages; to review and critique all CALFED funded projects in light of impacts or benefits to existing and future recreation in the Delta. The Committee will forward comments to be incorporated into proposed projects; CALFED should ensure that those comments are incorporated to the fullest extent possible.

All CALFED projects and CALFED-funded projects should fully mitigate any impacts on recreation and recreational boating. In addition, all projects funded by CALFED should provide public access and/or recreation on-site or off-site (in lieu) or provide improved services (marine patrol, removal of obstructions from waterways, upgrade of

recreation facilities, provision of visitor information services at key land entry points to the Delta, etc). All CALFED and CALFED-funded projects should maximize recreation opportunities, and proposed recreation and access improvements should be evaluated on the basis of:

- Accessibility to the general public;
- Accessibility to boaters;
- Seasonal habitat constraints;
- Ability to provide drinking water and sewage disposal;
- Ability to be adequately supervised and maintained;
- Ability to provide recreation opportunities which are needed and which would take advantage of the Delta location;
- Ability to provide recreation facilities with minimum adverse impacts on environment;
- Maximize recreational opportunities which support multiple uses of Delta agricultural lands;
- Costs of operation and maintenance and expansion of existing and/or new facilities to mitigate increased traffic in some areas;
- On land, provide adequate directional and information signage to recreational facilities;
- Compatibility with existing adjacent land uses;
- Ability to mitigate all impacts to existing recreation; and
- Minimize restrictions on navigation in the Delta waterways.

Thank you for opportunity to review the RDEIR. The Ad Hoc Recreation Committee looks forward to working with CALFED to carry out these suggestions.

Sincerely,

A handwritten signature in black ink that reads "Bill Curry". The signature is stylized with a large, looped "B" and a cursive "Curry". To the right of the signature, there is a small, handwritten mark that appears to be "mc".

Bill Curry, Chairman  
Delta Ad Hoc Recreation Committee